

Handwritten: JC06 Rec'd PCT/PTO 03 AUG 2005

Docket No. F-8379

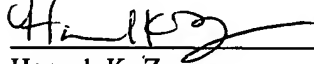


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gerold LUKOWSKI, et al.
Serial No. : 10/507,061
Filed :
For : MICRO/NANOPARTICLE OBTAINED FROM
LIPID-CONTAINING MARINE ORGANISMS FOR
USE IN PHARMACEUTICS AND COSMETICS
Customer No. : 000028107

Express Mail mailing label No. EV 464306151 US
Date of Deposit: August 3, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Hannah K. Zun

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

In response to the U.S. Patent Office's July 5, 2005 Notification of Defective Response, Applicants hereby submit a copy of the Declaration and Power of Attorney ("Declaration") for Patent Application which was submitted to the U.S. Patent Office on January 12, 2005. The Notification of Defective Response states that the oath or declaration filed on January 12, 2005 is not in compliance with U.S. Patent Office rules because it "is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68." However, the Declaration that was filed on January 12, 2005 is in compliance with 37 C.F.R. § 1.68, which permits that a declaration be filed instead of an oath if, and only if,

"the declarant is on the same document, warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. The declarant must set forth in the body of the declaration that all statements made of the declarant's own knowledge are true and that all statements made on information and belief are believed to be true."

At the bottom right of page 2 of the Declaration is the statement required under 37 C.F.R. § 1.68. Thus, the Declaration filed on January 12, 2005 is in compliance with 37 C.F.R. § 1.68.

Accordingly, Applicants respectfully request that the Declaration filed on January 12, 2005 be accepted.

Respectfully submitted,

Jordan and Hamburg LLP

By C. Bruce Hamburg
C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants

and,

By Ricardo Unikel
Ricardo Unikel
Reg. No. 52,309
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

enc. Declaration and Power of Attorney for Patent Application

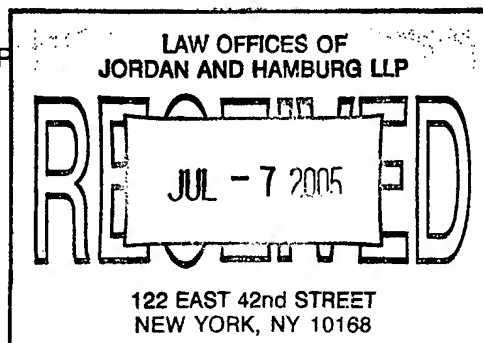


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,061	Gerold Lukowski	F-8379

28107.
 JORDAN AND HAMBURG LLP
 122 EAST 42ND STREET
 SUITE 4000
 NEW YORK, NY 10168



Date Mailed: 07/05/2005

INTERNATIONAL APPLICATION NO.	
PCT/DE03/00747	
IA. FILING DATE	PRIORITY DATE
02/28/2003	02/28/2002

CONFIRMATION NO. 8844
 371 FORMALITIES LETTER



OC000000016440636

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 08/26/2004
- English Translation of the IA filed on 04/11/2005
- Copy of the International Search Report filed on 08/26/2004
- Preliminary Amendments filed on 04/11/2005
- Information Disclosure Statements filed on 08/26/2004
- Oath or Declaration filed on 01/12/2005
- U.S. Basic National Fees filed on 08/26/2004
- Priority Documents filed on 08/26/2004

Applicant's response filed 04/11/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/10/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

Response to Notification of Defective response - 8/5/05

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,061	PCT/DE03/00747	F-8379

FORM PCT/DO/EO/916 (371 Formalities Notice)